

HOUSE No. 859

By Mr. Leary of Worcester, petition of James B. Leary and others
for legislation to protect children from persons offering to pay for
sexual contact. The Judiciary.

The Commonwealth of Massachusetts

PETITION OF:

James B. Leary	Scott P. Brown
John J. Conte	John D. Keenan
Stephen M. Brewer	J. James Marzilli, Jr.
Edward M. Augustus, Jr.	Shirley Gomes
John J. Binienda	Robert F. Fennell
Harriette L. Chandler	Cynthia S. Creem
Robert P. Spellane	Michael W. Morrissey
Karyn E. Polito	Michael E. Festa
Jennifer L. Flanagan	John A. Lepper
Emile J. Goguen	James R. Miceli
Richard T. Moore	Kathleen M. Teahan
Kathi-Anne Reinstein	

In the Year Two Thousand and Five.

AN ACT TO PROTECT CHILDREN FROM PERSONS WHO OFFER TO PAY FOR
SEXUAL CONTACT.

*Be it enacted by the Senate and House of Representatives in General
Court assembled, and by the authority of the same, as follows:*

- 1 Chapter 272 of the General Laws is hereby amended by striking
- 2 out Section 53A, as appearing in the 2002 Official Edition, and
- 3 inserting in place thereof the following section:—
- 4 Section 53A. (a) Whoever engages, agrees to engage, or offers
- 5 to engage in sexual conduct with another person in return for a fee
- 6 paid or to be paid by another or to a third person, or whoever
- 7 pays, agrees to pay, or offers to pay any person to engage in
- 8 sexual conduct with that person or with another, shall be punished
- 9 by imprisonment in jail for not more than one year or by a fine of

10 not more than 500 dollars or by both such imprisonment and fine,
11 whether such sexual conduct occurs or not.

12 (b) Whoever pays, agrees to pay, or offers to pay any person
13 with the intent to engage in sexual conduct with a child under the
14 age of eighteen, or whoever is paid, agrees to pay, or agrees that a
15 third person be paid in return for aiding a person who intends to
16 engage in sexual conduct with a child under the age of eighteen,
17 shall be punished by imprisonment in the state prison for not more
18 than ten years or in jail for not more than two and one half years,
19 whether such sexual conduct occurs or not.